IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.394 OF 2005

Manik Motiram Jagtap ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. A.P. Mundargi, for Mr. Ganesh Gole and Mr. Niranjan Mundargi, for the Applicant.

Mr. K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

3rd February 2005

P.C.:

. Heard Counsel for the parties. I see no reason to depart from the conclusion reached by the Court below in rejecting the anticipatory bail application having regard to the seriousness of the offence and the nature of evidence already on record. Not a case for anticipatory bail. Rejected.

. The Applicant is, however, granted limited protection to enable him to surrender before the appropriate Court so as to move application for regular bail if so advised. That be done on or before 9th February 2005, failing which it will be open to the investigating officer to proceed against the Applicant in accordance with law. Applicant to give advance notice to the investigating officer before moving the appropriate Court for regular bail upon surrender. Besides, in the meantime, the Applicant shall report to the investigating officer daily between 11 a.m. to 4 p.m. till 8th February 2005. It is made clear that the trial Court shall consider the bail application if filed by the Applicant on its own merits in accordance with law uninfluenced by the observations made in the earlier decision, or, the dismissal of the present application.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)